

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 99-005

May 10, 1999

CITY OF LEWISTON WATER DIVISION
Application for Approval of Issue
of Securities (§ 902) (**\$1,050,000**)

**AMENDED ORDER
APPROVING ISSUE OF
SECURITIES**

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

In this Order we approve the issuance of bonds in an amount not to exceed \$1,050,000 by the City of Lewiston Water Division. On, January 6, 1999 the City of Lewiston Water Division (the Water Division) filed with the Commission its application for authority to issue its bonds in a sum not to exceed \$500,000 through its financial advisors, Evenson & Dodge, Inc., at an annual rate not to exceed 6.0 percent. The debt will be paid over a term not to exceed 20 years. The Water Division required these funds for the purposes of water main replacements. **These bonds were approved in an Order dated February 4, 1999.**

In a letter from Ralph W. Lenfestey, Senior Staff Accountant of the City of Lewiston Finance Division, dated April 27, 1999, the Water Division requested that the Order in this docket be amended to reflect an additional borrowing of up to \$550,000 for the refunding of all or part of the Water Department's portion of Public Improvement Bonds of the City of Lewiston dated February 15, 1992, December 1, 1992 and December 15, 1994. This refunding is requested to take advantage of lower interest rates that will generate savings for the Water Division and its ratepayers. The remainder of the bond application remains unchanged.

Having reviewed the application of the Water Division, together with data filed in support of it, it is the opinion of the Commission that the proceeds of the issuance of the bonds are required in good faith for the purposes enumerated in 35-A M.R.S.A. § 901. In approving this securities issue, consistent with normal practice and pursuant to § 902(4), the Commission does not imply approval of the Water Division's capital needs or capitalization ratio for ratemaking purposes, nor does this Order limit or restrict the powers of the Commission in determining or fixing any rate.

Accordingly, we

O R D E R

1. That the City of Lewiston Water Division is hereby authorized to sell its bonds in a sum not to exceed **\$1,050,000** to be used solely for the purposes described in this Order, and at a rate not to exceed 6.0 percent per year through its financial advisors, Evenson & Dodge, Inc. for a term not to exceed 20 years.

2. That the Water Division report to the Commission, in writing its actions pursuant to this Order within sixty (60) days of the date of the sale of the proposed bonds, or by **July 1, 1999**, whichever may come first.

3. That the Administrative Director is hereby directed to mail an attested copy of this Order to interested parties and to close this Docket.

Dated at Augusta, Maine, this 10th day of May 1999.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
Nugent
Diamond

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Civil Procedure, Rule 73, et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.